IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE P.R.RAMAN
&
THE HONOURABLE MRS. JUSTICE K.HEMA

WEDNESDAY, THE 6TH JUNE 2007 / 16TH JYAISHTA 1929

WP(C).No. 14883 of 2007(V)

PETITIONER:

JACOB JOHN, AGED 48, S/O.K.C.JOHN,
SOLE PROPRIETOR, M/S.JACOB JOHN & COMPANY,
KALARCODE, ALAPPUZHA-3, RESIDING AT KURIKATTU
THUNDIL SALIDALE, SANATHANAPURAM P.O.,
ALAPPUZHA-3.

BY ADV. SRI.SUDHEENDRAN. K.Y.

RESPONDENTS:

1. THE SUPERINTENDENT OF POLICE,
ALAPPUZHA.

2. THE CIRCLE INSPECTOR OF POLICE,
ALAPPUZHA SOUTH, ALAPPUZHA.

3. HEAD LOAD WORKERS UNION(C.I.T.U.),
AMBALAPPUZHA, AREA COMMITTEE, ALAPPUZHA,
NEAR SRI RAMA MANDIR, MULLACKAL, ALAPPUZHA,
REPRESENTED BY ITS SECRETARY, P.K.SOMAN.

4. AMBALAPPUZHA TALUK POTHUMARAMATHU
LANDING AND LOADING THOZHILALI UNION(AITUC),
REPRESENTED BY ITS SECRETARY, P.J.ANTONY,
JOHN VILLA, VALIYAMARAM WARD, ALAPPUZHA.

R1 & R2 BY GOVT.PLEADER SRI P.A.SALIM.

R3-BY ADV. SRI.K.BALACHANDRAN
SRI.RAJESH NAIR

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 06/06/2007 THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

APPENDIX

PETITIONER'S EXTS:

EXT.P1 TRUE COPY OF THE DEALERSHIP CERTIFICATE 3 IN NOS.

EXT.P2 TRUE COPY OF THE IDENTITY CARD OF PETITIONERS EMPLOYEES.

EXT.P3 TRUE COPY OF THE REPRESENTATION SUBMITTED TO THE 3RD RESPONDENT DTD. 25/8/2006.

EXT.P4 TRUE COPY OF THE REPRESENTATION SUBMITTED TO THE 4TH RESPONDENT DTD. 25/8/2006.

EXT.P5 TRUE COPY OF THE PETITION SUBMITTED TO THE 2ND RESPONDENT DATED 3/9/2006.

P.R.RAMAN & K.HEMA, JJ.

W.P.(C).NO.14883 OF 2007

Dated this the 6th day of June,2007

JUDGMENT

Raman,J.

Petitioner has got two registered headload workers as evidenced by the identity cards, Ext.P2. He is a dealer of cement and hardwares. He is prepared to engage the registered headload workers, who are members of respondents 3 and 4 Unions, as and when he requires additional workmen for doing the loading and unloading work. The 3rd respondent would submit that they are not causing any obstruction to the work and the trouble started only when the petitioner denied them work. The petitioner submitted that he is prepared to engage such workers, as and when required any additional workmen for the loading and unloading works, from the members belonging to respondents 3 and 4 Unions. It is assured on their behalf that no obstruction will be caused. In spite of assurance, if the respondents 3 and 4 and their members cause any obstruction, the 2nd respondent-Circle Inspector of Police shall give necessary protection for the loading and unloading operation and for the smooth working of the

petitioner's establishment, if a complaint is made by the petitioner alleging such obstruction.

Writ Petition is disposed of as above.

P.R.RAMAN,
Judge.

K.HEMA,
Judge.

kcv.